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APPLICATION NUMBER	FILING OR 371 (c) DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
10/612,783	07/02/2003	Thomas J. La Rosa	38-21(53373)A

CONFIRMATION NO. 2839

## FORMALITIES LETTER



\*OC000000013305598\*

Pamela J. Sisson  
 Patent Department, E2NA  
 Monsanto Company  
 800 N. Lindbergh Blvd.  
 St. Louis, MO 63167

Date Mailed: 07/22/2004

## NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

*Filing Date Granted*Items Required To Avoid Abandonment:

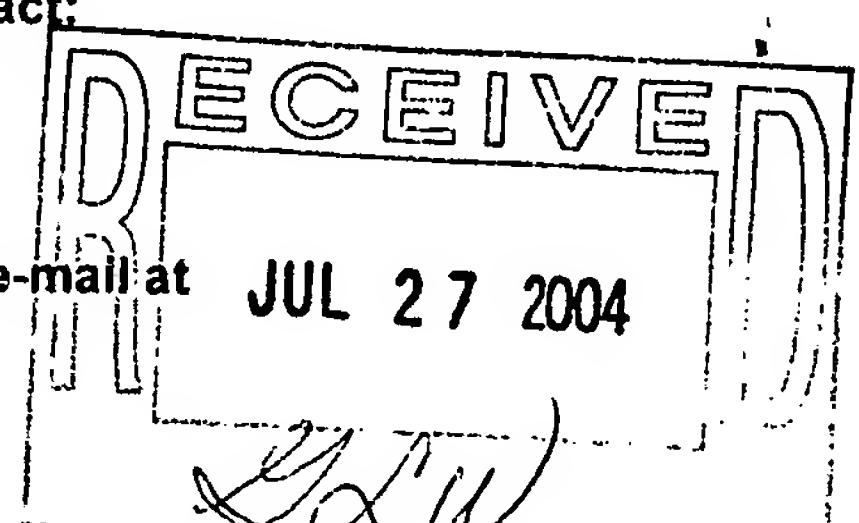
An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The oath or declaration is missing.  
*A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.*
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.
- This application does not contain, as a separate part of the disclosure on paper copy, a "Sequence Listing" as required by 37 CFR 1.821(c). Applicant must provide an initial paper or compact disc copy of the "Sequence Listing", as well as an amendment directing its entry into the application and a statement that the content of the sequence listing information recorded in computer readable form is identical to the written (on paper or compact disc) sequence listing and, where applicable, includes no new matter, as required by 37 CFR 1.821(e), 1.821(f), 1.821(g), 1.825(b), or 1.825(d). If the effective filing date is on or after September 8, 2000, see the final rulemaking notice published in the Federal Register at 65 FR 54604 (September 8, 2000) and 1238 OG 145 (September 19, 2000).

For questions regarding compliance to these requirements, please contact:

- For Rules Interpretation, call (703) 308-4216
- To Purchase PatentIn Software, call (703) 306-2600
- For PatentIn Software Program Help, call (703) 306-4119 or e-mail at [patin21help@uspto.gov](mailto:patin21help@uspto.gov) or [patin3help@uspto.gov](mailto:patin3help@uspto.gov)

The following item(s) appear to have been omitted from the application:



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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re applications of:

Thomas J. La Rosa *et al.*

Appln. No.: 10/612,783

Filed: July 2, 2003

For: Nucleic Acid Molecules and Other Molecules  
Associated with Plants And Uses Thereof For Plant  
Improvement

Art Unit: 1638

Examiner: To be assigned

Atty. Docket: 38-21(53373)A

Mail Stop Missing Parts  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**Certificate of Mailing**

I hereby certify that this Response to Notice to File Missing Parts of Non-Provisional Application-Under 37 CFR 1.53 (b) for the above application, is being deposited with the United States Postal Service as first class mail in an envelope addressed to:

Mail Stop Missing Parts  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

on 9-01-2004

GRACIE L. WILLIAMS  
(Printed name of person signing this certificate)

Gracie L. Williams  
(Signature)



Application No. 10/612,783

Thomas J. La Rosa *et al.*

Page 1 of 2

UNITED STATES PATENT AND TRADEMARK OFFICE

In re applications of:

Thomas J. La Rosa *et al.*

Appln. No.: 10/612,783

Filed: July 02, 2003

For: Nucleic Acid Molecules and Other Molecules  
Associated with Plants And Uses Thereof For  
Plant Improvement

Art Unit: To be assigned

Examiner: To be assigned

Atty. Docket: 38-21(53373)A

**Response to Notice to File Missing Parts of Nonprovisional Application**

Box Missing Parts  
Commissioner for Patents  
Alexandria, VA 22313-1450

Sir:

In response to the Notice to File Missing Parts of Nonprovisional Application - Filing Date Granted dated July 02, 2003, Applicants submit the following documents for appropriate action by the U.S. Patent and Trademark Office:

1. Copy of Notice to File Missing Parts of Nonprovisional Application ;
2. Combined declaration and power of attorney executed by inventors, David K. Kovalic, Yihua Zhou, and Yongwei Cao (3 pages);
3. Combined declaration and power of attorney executed by Thomas J. La Rosa (3 pages);
4. (1)CRF-computer readable form of sequence listing, (2) CD-Rs Copy 1, Copy 2 of sequence listing;
5. Amendment directing its entry into the application;
6. a return-receipt prepaid postcard;
7. Statement Regarding Sequence Submission; and
8. a change of correspondence for the above application.

It is respectfully requested that the attached prepaid postcard be stamped with the date of filing of these documents and be returned to us as soon as possible.

The U.S. Patent and Trademark Office is hereby authorized to charge any fee deficiency, or credit any overpayment, to our Deposit Account No. 13-4125. If extensions of time under 37 C.F.R. § 1.136 other than those otherwise provided for herewith are required to prevent abandonment of the present patent application, then such extensions of time are hereby

petitioned, and any fees therefor are hereby authorized to be charged to our Deposit Account No. 13-4125. A duplicate copy of this Response is enclosed.

Respectfully submitted,

*Yorhisha M. Davis*  
Reg. No. 48,371

*for*  
Hamelia J. Sisson  
(Reg. No.: 53,600)

Date: 08/31/04

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